

# TTAB

Opposition No. 91163719  
Serial No. 76/561,585

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Digi International Inc.,

Opposition No. 91163719  
Serial No. 76/561,585

Opposer

v.

DigiPos Systems Inc.,

Applicant

### **STIPULATED REQUEST FOR EXTENSION OF DISCOVERY AND TESTIMONY PERIODS**

The parties hereto respectfully request that the discovery deadlines in this action be extended by sixty (60) days as follows:

Discovery period to close: December 23, 2005

Testimony period for party in the  
position of plaintiff to close: March 23, 2006

Testimony period for party in the  
position of defendant to close: May 22, 2006

Rebuttal testimony period to close: July 6, 2006


In a letter dated July 7, 2005, Applicant's attorney Serge Anissimoff indicated his agreement with this request. The parties mutually agree that they need additional time to complete discovery. This motion is not being made for the purpose of delay.



In addition, Applicant agrees to extend by sixty (60) days the deadline for Opposer to respond to Applicant's 1<sup>st</sup> Set of Interrogatories and 1<sup>st</sup> Set of Requests for Production of Documents.

Respectfully submitted,

Date: October 4, 2005



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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above titled Stipulated Request for Extension of Discovery and Testimony Periods was served upon Applicant via facsimile and by depositing a copy thereof in the mail as first class mail, postage prepaid, directed to:

Serge Anissimoff  
ANISSIMOFF & ASSOCIATES  
Richmond North Office Centre  
Suite 201, 235 North Centre Road  
London, ON N5X 4E7  
Canada

Date:

October 4, 2005

  
Marsha Stolt, Esq.

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